

## Memorandum

To: Planning Board

Re: June Planning Board Agenda Items

From: Carla Nixon, Town Planner

Date: June 15, 2023

**Re: Agenda Item #2: Recommendation to Town Council** on proposed amendment to the Cumberland Code of Ordinances relating to “agritourism. As you may recall, the Grange Hall Pub was considering placing four structures to be used for overnight camping. However, our ordinance did not allow the use, and the Cumberland and Chebeague Land Trust (CCLT) opposed the use. The proposal has changed from structures to tent sites, and a new use “Agritourism” is being added to the list of permitted uses in the Rural Residential zones. A definition of the new use has been provided for your consideration. CCLT has approved this change.

#### § 315-4 **Word usage and definitions.**

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense; the singular number includes the plural, and the plural includes the singular; the word "shall" is mandatory, and the word "may" is permissive; the word "used" or "occupied" includes the words "intended," "designed" or "arranged to be used or occupied"; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; and the word "lot" includes the word "plot" or "parcel." Terms not defined shall have the customary dictionary meaning. Other terms shall be defined as follows:

...

#### **AGRICULTURE**

The use of a tract of land for commercial purposes for any of the following: ...

##### **AGRITOURISM**

"Agritourism" means a use accessory to a primary Agriculture use that allows members of the general public to enter the agricultural land to view or enjoy rural activities. The term agritourism includes, but is not necessarily limited to the following activities: on-site educational programs; guided and self-guided tours; petting zoos; farm festivals; corn mazes; harvest-your-own operations; hayrides; recreational horseback riding; or the establishment and rental of up to four tent sites, each accommodating no more than two persons per tent site, provided that such tent sites comply with all applicable provisions of the State of Maine's Subsurface Wastewater Disposal Rules, as amended.

#### **AIRPORT, PRIVATE, PERSONAL USE**

An airstrip restricted to use by the airstrip owner or lessee and, on an occasional basis, by his invited guests.

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#### § 315-6 **Rural Residential Districts (RR1 and RR2).**

The RR Districts primarily allow agriculture, low-density residential and other low-density uses with the intent of maintaining significant amounts of open space and a generally rural character.

A. Rural Residential District 1 (RR1). The RR1 District requires larger minimum lot sizes than does the RR2 District on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March 1989.

(1) The following uses are permitted in the RR1 District:

...

(ee) Farm-based specialty events, subject to the provisions of § 315-49.1. [Added 11-13-2017]

(ff) Agritourism.

...

B. Rural Residential District 2 (RR2). The RR2 District requires a lesser minimum lot size than does the RR1 District on the basis of the results of the Community Groundwater Study, Cumberland, Maine, March 1989.

(1) The following uses are permitted in the RR2 District:

...

(dd) Farm-based specialty events, subject to the provisions of § 315-49.1. [Added 11-13-2017]

(ee) Agritourism.

...